

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
KENNETH HERSOM,

Plaintiff,

-against-

ARMY REVIEW BOARDS AGENCY SUPPORT
DIVISION, ST. LOUIS,

Defendant.
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MEMORANDUM AND ORDER

08-CV-1466 (ENV) (LB)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ SEP 08 2008
P.M.
TIME A.M.

Pro se plaintiff Kenneth Hersom brought this action against the Army Review Boards Agency Support Division, St. Louis, seeking a medical discharge and disability benefits. On April 23, 2008, the Court, *sua sponte*, dismissed the action on the ground that the Court lacked subject matter jurisdiction, that is, it did not have the power or authority to hear plaintiff's claims. On or around May 6, 2008, Hersom filed a letter, requesting that the Court review 23 mental reports from the Army and the VA. The Court treated that letter as a motion for reconsideration, and, by Memorandum and Order dated May 16, 2008, the Court denied the motion, on the grounds that Hersom did not point to any controlling decisions or facts that the Court had overlooked.

The Court is now in receipt of a second letter from Hersom, filed August 13, 2008, purportedly submitting new evidence. The Court treats this letter as a second motion for reconsideration. The motion is denied.

SO ORDERED.

Dated: Brooklyn, New York
September 2, 2008



ERIC N. VITALIANO
United States District Judge

